

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

November 16, 2021

Lyle W. Cayce
Clerk

No. 20-40863
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

LATIMER LABAN BAKER,

Defendant—Appellant.

Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 6:19-CR-33-1

Before KING, COSTA, and HO, *Circuit Judges.*

PER CURIAM:*

The attorney appointed to represent Latimer Laban Baker has moved for leave to withdraw and has filed a brief in accordance with *Anders v. California*, 386 U.S. 738 (1967), and *United States v. Flores*, 632 F.3d 229 (5th Cir. 2011). Baker has not filed a response. We have reviewed counsel's brief

* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.

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and the relevant portions of the record reflected therein. We concur with counsel's assessment that the appeal presents no nonfrivolous issue for appellate review.

Our review reveals a clerical error in the judgment. The district court found at sentencing that Baker did not have the ability to pay a fine and orally pronounced that it was waiving the fine in Baker's case. The written judgment, however, imposes a \$100 fine.

Accordingly, counsel's motion for leave to withdraw is GRANTED, counsel is excused from further responsibilities herein, and the APPEAL IS DISMISSED. *See* 5TH CIR. R. 42.2. This matter is REMANDED for the limited purpose of correcting the clerical error in the judgment. *See* FED. R. CRIM. P. 36.